

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

SANTOSH RAM,

Petitioner,

v.

WARDEN,

Respondent.

Case No. 1:21-cv-01520-JLT-EPG-HC

ORDER DIRECTING RESPONDENT TO  
FILE RESPONSE TO PETITIONER'S  
MOTION FOR RECONSIDERATION

Petitioner Santosh Ram is a federal prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, which challenges a prison disciplinary proceeding for assault on due process grounds, including sufficiency of the evidence.

The undersigned previously denied Petitioner's motion to compel discovery and for a deposition. (ECF No. 21.) Petitioner subsequently filed a motion for reconsideration with respect to his request for the CCTV footage of the incident, specifically alleging that the DHO's description of the video "was inaccurate and false" because "[t]he video did not show any strike"<sup>1</sup> and that he never made the statements relied upon by the DHO in finding that Petitioner committed the acts as charged. (ECF No. 22 at 2, 3.)<sup>2</sup> Respondent did not file a response within the twenty-one-day response period provided by the local rules. See LR 230(l). However, the Court finds that a response from Respondent will assist the Court in this matter.

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<sup>1</sup> Petitioner's allegation that the video did not show any strike would also contradict the incident report and the statements of the correctional officers involved.

<sup>2</sup> Page numbers refer to the ECF page numbers stamped at the top of the page.

1 Accordingly, IT IS HEREBY ORDERED that within **fourteen (14) days** of the date of  
2 service of this order, Respondent shall file a response to Petitioner's motion for reconsideration  
3 (ECF No. 22). The response should address, *inter alia*, (1) whether Petitioner's allegations are  
4 sufficient to satisfy the good cause standard articulated in Bracy v. Gramley, 520 U.S. 899  
5 (1997), with regard to the CCTV footage, and (2) whether the video in question still exists and  
6 can be obtained.

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8 IT IS SO ORDERED.

9 Dated: **November 7, 2022**

/s/ Eric P. Grogan  
10 UNITED STATES MAGISTRATE JUDGE  
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